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Senate

The Senate met at 8:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Sovereign Lord, we magnify Your Name. Your fairness is intertwined with everything You do. You possess absolute purity, holiness, and justice.

Bless the Members of this legislative body. Encourage them when courage fails, and comfort them when comfort flees. Lift them when they fall, and set their feet on the path of Your providence. Give them new hope when they feel hopeless, and lighten the darkness when they feel despair.

We pray for those who mourn, particularly the families of former Senators Hecht and Bentsen.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. MCCONNELL. Mr. President, this morning we are getting an early start, and we will shortly resume debate on the immigration bill. In just a mo-

ment, I will offer an amendment relating to photo identifications. The time until 9:30 a.m. will be equally divided for debate on that amendment. At 9:30, we will proceed to a rollcall vote on the McConnell amendment. That vote will be followed by a vote on invoking cloture on the comprehensive immigration bill. Following that cloture vote, the Senate will recess to attend a joint meeting with the House to hear an address by the Prime Minister of Israel.

Obviously, we expect another full day considering immigration-related amendments, and we will have rollcalls periodically all day.

MINE IMPROVEMENT AND NEW EMERGENCY RESPONSE ACT OF 2006

Mr. MCCONNELL. Mr. President, this is an important coal mine safety bill which has been cleared on both sides of the aisle.

I commend Senator KENNEDY and Senator ENZI for their extraordinary effort in putting this measure together on a broad bipartisan basis. As I indicated, it has been cleared on both sides of the aisle. It is time to pass this measure and hope that the House will act in short order.

Therefore, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 439, S. 2803.

The PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2803) to amend the Federal Mine Safety and Health Act of 1977 to improve the safety of mines and mining.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mine Improvement and New Emergency Response Act of 2006" or the "MINER Act".

SEC. 2. EMERGENCY RESPONSE.

Section 316 of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 876) is amended—

(1) in the section heading by adding at the end the following: "AND EMERGENCY RESPONSE PLANS";

(2) by striking "Telephone" and inserting "(a) IN GENERAL.—Telephone"; and

(3) by adding at the end the following:

"(b) ACCIDENT PREPAREDNESS AND RESPONSE.—

"(1) IN GENERAL.—Each underground coal mine operator shall carry out on a continuing basis a program to improve accident preparedness and response at each mine.

"(2) RESPONSE AND PREPAREDNESS PLAN.—

"(A) IN GENERAL.—Not later than 60 days after the date of enactment of the Mine Improvement and New Emergency Response Act of 2006, each underground coal mine operator shall develop and adopt a written accident response plan that complies with this subsection with respect to each mine of the operator, and periodically update such plans to reflect changes in operations in the mine, advances in technology, or other relevant considerations. Each such operator shall make the accident response plan available to the miners and the miners' representatives.

"(B) PLAN REQUIREMENTS.—An accident response plan under subparagraph (A) shall—

"(i) provide for the evacuation of all individuals endangered by an emergency; and

"(ii) provide for the maintenance of individuals trapped underground in the event that miners are not able to evacuate the mine.

"(C) PLAN APPROVAL.—The accident response plan under subparagraph (A) shall be subject to review and approval by the Secretary. In determining whether to approve a particular plan the Secretary shall take into consideration all comments submitted by miners or their representatives. Approved plans shall—

"(i) afford miners a level of safety protection at least consistent with the existing standards, including standards mandated by law and regulation;

"(ii) reflect the most recent credible scientific research;

"(iii) be technologically feasible, make use of current commercially available technology, and account for the specific physical characteristics of the mine; and

"(iv) reflect the improvements in mine safety gained from experience under this Act and other worker safety and health laws.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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